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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/713,600	11/15/2000	Harold Kraft	61000/101	9771

7590

05/11/2004

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EXAMINER
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LE, MIRANDA

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 05/11/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

22

## Office Action Summary

Application No.

09/713,600

Applicant(s)

KRAFT ET AL.

Examiner

Miranda Le

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2004.  
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-37, 39, 41 and 43-54 is/are rejected.  
7) ☒ Claim(s) 38, 40 and 42 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 03/02/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/02/2004 has been entered.

This communication is responsive to Amendment B, filed 03/02/2004.

2. Claims 1-54 are pending in this application. Claims 1, 13, 25, 49, 51, 53 are independent claims. In the Amendment B, claims 1, 7, 13, 19, 25 and 31 have been amended, claims 43-54 have been added, no claim has been cancelled. This action is made non-Final.

### ***Drawings***

3. The drawings were received on 03/02/2004. These drawings are accepted.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless:

(e) the invention was described in

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or

Art Unit: 2177

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-37, 39, 41, 43-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Wolfe et al. (US Patent No. 6,263,351 B1).

Wolfe anticipated independent claims 1, 13, 25, 49, 51, 53, by the following:

**As to claims 1, 13, 25,** Wolfe teaches “a method for retrieving data, comprising: selecting one of a plurality of stored electronic records search requests from a queued search database to execute next based upon one or more selection criteria” at col. 11, line 50 to col. 12, line 53, col. 6, lines 32-52, col. 7, lines 19-63;

“executing the selected electronic records search request and retrieving at least one electronic record from at least one storage location during the executing” at col. 6, lines 53-64, col. 8, lines 28-59;

“parsing the electronic records to convert one or more raw data sets into user selectable objects” at col. 7, lines 20-63;

“causing the user-selectable objects to be displayed” at col. 7, lines 20-63.

**As to claims 49, 51, 53,** Wolfe teaches “A method for determining which of a plurality of queued search request to implement, the method comprising: evaluating one or more electronic records search requests using one or more search selection criteria” at col. 12, lines 1-53, col. 6, lines 32-52, col. 7, lines 20-63;

Art Unit: 2177

“selecting one or more electronic records search requests to execute next based upon the evaluation” at col. 6, lines 32-52, col. 7, lines 20-63;

“executing the selected search” at col. 8, lines 28-59.

**As to claims 2, 14, 26,** Wolfe teaches “selecting at least one of the user-selectable objects to retrieve the raw data set associated with the selected object” at col. 7, lines 20-63.

**As to claims 3, 15, 27,** Wolfe teaches “the raw data sets comprise court case items or documents associated with a court case docket sheet” at col. 2, lines 17-25, col. 5, lines 54-65.

**As to claims 4, 16, 28,** Wolfe teaches “the electronic records comprise results of an executed electronic court case records search request, at least one criterion used in formulating the electronic court case records search request and data related to at least one electronic court database associated with the electronic court case records search request” at col. 7, line 21 to col. 8, line 38.

**As to claims 5, 17, 29,** Wolfe teaches “the parsing further comprises extracting the at least one raw data set from the retrieved electronic records” at col. 6, lines 11-32.

**As to claims 6, 18, 30,** Wolfe teaches “the parsing” but Wolfe does not specifically teach it “is implemented by at least one data processing algorithm based substantially on an artificial intelligence” at col. 7, line 21 to col. 8, line 38.

Art Unit: 2177

**As to claims 7, 19, 31,** Wolfe teaches “determining at least one data parsing algorithm that should be used for parsing the retrieved records based upon a content of the retrieved electronic records” at col. 9, line 38 to col. 10, line 67;

“executing the parsing using the at least one determined data parsing algorithm” at col. 11, lines 1-49.

**As to claims 8, 20, 32,** Wolfe teaches “the parsing further comprises filtering, sorting or analyzing the retrieved electronic records for data consistency” at col. 11, lines 1-49.

**As to claims 9, 21, 33,** Wolfe teaches “determining if at least one of a plurality of electronic records databases associated with each electronic records search request is accessible through a first or a second communication medium” at col. 11, line 49 to col. 12, line 61, col. 5, lines 28-53;

“accessing the at least one electronic records database through the first or the second communication medium based on the determination” at col. 11, line 50 to col. 12, line 61, col. 5, lines 28-53.

**As to claims 10, 22, 34,** Wolfe teaches “the plurality of electronic record databases comprises at least one first electronic court database accessible through the first communication medium and at least one second electronic court database accessible through the second communication medium” at col. 11, line 50 to col. 12, line 61, col. 5, lines 28-53.

Art Unit: 2177

**As to claims 11, 23, 35,** Wolfe teaches “the first communication medium comprises a telephone dial-up modem connection and the second communication medium comprises an Internet connection” at col. 11, line 50 to col. 12, line 61.

**As to claims 12, 24, 36,** Wolfe teaches “the electronic records search requests comprise court case docket sheet search requests” at col. 6, lines 32-53.

**As to claims 37, 39, 41** Wolfe teaches “the selecting one of the plurality of electronic records search requests to execute next based upon the one or more selection criteria further comprises examining search data associated with each of the electronic records search requests and evaluating the search data using the one or more selection criteria” at col. 6, lines 32-53, col. 7, lines 19-63, col. 5, lines 29-44, col. 6, lines 11-63.

**As to claims 43, 44, 45,** Wolfe teaches “one or more of the stored search requests are stored in a search database when the search request cannot be executed at the time the search request is made” at col. 11, line 50 to col. 12, line 41.

**As to claims 46, 47, 48,** Wolfe teaches “retrieving one or more hard-copy documents associated with a selected user-selectable object” at col. 6, line 33 to col. 7, line 63.

Art Unit: 2177

As to claims 50, 52, 54, Wolfe teaches “one or more search selection criteria comprises when any activity associated with the examined electronic records search request last took place” at col. 8, lines 18-59.

***Allowable Subject Matter***

6. Claims 38, 40, 42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

7. Applicant's arguments regarding Crim does not suggest or disclose the amended limitation “selecting one of a plurality of electronic records search requests from a queued search database to execute next based upon one or more selection criteria” with respect to claims 1-42 have been considered but are moot in view of the new ground(s) of rejection.



Art Unit: 2177


*Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (703) 305-3203. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax number to this Art Unit is (703) 872-9306. The TC 2100's Customer Service number is (703) 306-5631.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

  
Miranda Le  
May 6, 2004

  
GRETA ROBINSON  
PRIMARY EXAMINER